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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent & Trademark Application

Francesco MEHLEM et al

08/23/2001 UEDUVIJE 0000009 09831816

01 FC:254

65.00 OP

Serial No.: 09/831,816

Filed: May 15, 2001

Repln. Ref: 08/23/2001 UEDUVIJE 0015160100

For: Method for Producing L-prolyl~~FT-74~~ sarcosyl-L-p-fluoromethylalanine and Derivatives  
Thereof

Date: 194375 Name/Number: 09831816

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Honorable Commissioner of Patents and Trademarks  
Washington, DC 20231

Sir:

In response to the Notification of Missing Requirements Under 37 USC 371 in the US Designated/Elected Office (DO/EO/US), dated June 20, 2001, submitted herewith is a Declaration and Assignment.

Submitted herewith is our Check No.16644 inclusive of the amount of \$130.00 for the Declaration Surcharge Fee under 37 CFR 1.492 (e) and \$40.00 for the Assignment under 37 CFR 3.41. The Commissioner is hereby authorized to charge any necessary fees to the undersigned's Deposit Account No.19-4375.

Additionally, Applicants note the requirement for a Sequence Listing pursuant to 37 CFR §§ 1.821-1.825. However, it is submitted that the sequences presented in the above-identified application each contain "fewer than four specifically defined nucleotides or amino acids", and as such, are not subject to the Sequence Listing rules. Applicant invites identification, with page and line numbers, of any amino acid or nucleotide sequence in the present application containing four or more specifically defined nucleotides or amino acids, subject to the Sequence Listing rules.

08/01/2001 MKAYPAGH 00000073 09831816

01 FC:154

\$130.00 OP

Adjustment date: 08/23/2001 UEDUVIJE  
08/01/2001 MKAYPAGH 00000073 09831816  
01 FC:154 Date: 08/23/2001

Respectfully submitted,

By:

Anthony P. Venturino

Registration No. 31,674

THE APPLICANT HEREWITHE PETITIONS  
THE PTO TO EXTEND THE TIME FOR  
RESPONSE AS REQUIRED TO MAKE THE  
ATTACHED DOCUMENT TIMELY FILED.  
PLEASE CHARGE THE COST THEREOF  
TO DEPOSIT ACCOUNT 19-4375

APV/kap  
ATTORNEY DOCKET NO. APV31199

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## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PC1  
United States Patent and Trademark Office  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/831816	MEHLEM	F APV31199
INTERNATIONAL APPLICATION NO.		
PCT/CH98/00498		
I.A. FILING DATE	PRIORITY DATE	
19 NOV 98		

DATE MAILED:

20 JUN 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CALL:

- (703) 308-4216, for Rules interpretation,
- (703) 308-4212, for CRF submission help,
- (703) 287-0200, for PatentIn software help.

Barbara A. Campbell

Telephone: 703-305-3631



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/831816		MEHLEM	F APV31199

ANTHONY P VENTURINO  
STEVENS DAVIS MILLER & MOSHER  
1615 L STREET N W SUITE 850  
WASHINGTON, DC 20036

*Response Due: 8/20/01 Og*

INTERNATIONAL APPLICATION NO.

PCT/CH98/00498

I.A. FILING DATE PRIORITY DATE

19 NOV 98

20 JUN 2001

DATE MAILED:

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494)  an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee.  Indication of Small Entity Status.  
 Copy of the international application.  Translation of the international application into English.  
 Oath or Declaration of inventors(s).  Translation of Article 19 amendments into English.  
 Copy of Article 19 amendments.  Other:  
 Priority Document.  
 The International Preliminary Examination Report in English and its Annexes, if any.  
 Translation of Annexes to the International Preliminary Examination Report into English.

2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- U.S. Basic National Fee.  Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:  PCT/DO/EO/917  
 PTO-875

Notice of Defective Translation  
 PCT/DO/EO/920

Barbara A. Campbell